

PB# 73-26

Diplomat Motor Lodge

73-26

DIPLOMAT MOTOR
LODGE

Approved 5/9/73
L.H.
given to Town Clerk
5/10/73
10:20 P.



GENERAL RECEIPT

1366

Town of New Windsor, N. Y.

Received of the Planning Board May 10, 1973
Forty and 00/100 \$ 40 00
100 Dollars
For Diplomat Motel - Engineers fees 15.00 Site Plan 25.00

DISTRIBUTION:

FUND	CODE	AMOUNT

Town Clerk
TITLE

BY Dorothy D. Smiley Deputy

Application 73-26

Receipt #1366 \$40.00

Letter to Mr. Rossini from
Howard Collett

Letter from Scott Hayt, Drake
OC Public Works

Mausden letter to R Drake 7-11-73

4-16-73 Dept of Planning OC.

4-11-73 letter to Kartiganer - SH + D

Map

Map

4-6-73 OC Dept of Public Works

4-26-73 Mausden to NW P.B.

4-23-73 Kessler letter additional (2)

transmittal from ^{improvements} Barbore + Habig - Charges
1-23-73 Scott Hayt Drake letter to Mausden

3-30-73 " " " to P.B.

4-9-73 Mausden letter to P.B.

Map

Map

Map

Mausden to P.B.

Letter from Peterson to Rossini

Letter to ZBA from OC Dept of Planning

Mausden to ZBA 4-21-72

Application 4-14-72

Map

9-15-72 ZBA to Planning Board

9-8-72 Federal Aviation Administration to

9-11-72 Letter to Mayor Shaw from Barbore + Habig
Dept. of Planning O.C.

9-13-72 Copy of letter from Barbore + Habig to Dept of Trans.

9-26-72 OC Dept of Planning to NW P.B.

9-21-72 Letter from U.S. Dept of Agriculture to OC Planning Dept.

Map

8-21-72 Kartiganer to P.B.

8-14-72 Kessler to P.B.

8-22-72 Kessler to P.B. re: NYTel

Buried Cable

5-11-72 ZBA to P.B.

5-2-73 Scott Hayt + Drake
to Mahara

4-6-73 letter OC P. Works
to OC Dept of Planning

8-1-73 Scott Hayt + Drake
to Mahara

5-14-73 P.B. to Barbore + Habig

4-17-73 P.B. to Scott Hayt + Drake

4-16-73 P.B. to Harry Hay

taken by
Shirley Barbore + Habig
5/8/74

Returned
5/9/74

10-26
D/PLANNING HOME
LODGE

Rec.

5/10/73

10:20 AM.

D.F.

cc P/B ✓
OK/M Kartegina

File Sewer 17

8/8/73 S

SCOTT & HOYT & DRAKE
ATTORNEYS AND COUNSELORS AT LAW

J. BRADLEY SCOTT (1894-1962)
JULIUS LARKIN HOYT
RICHARD J. DRAKE
LORRAINE COTÉ DEVERS

POST OFFICE BOX 511
233 LIBERTY STREET
NEWBURGH, NEW YORK 12550
(914) 562-3540

August 1, 1973

Arthur O. Maharay, Esq.
542 Union Avenue
New Windsor, New York 12550

Re: Diplomat Motor Lodge

Dear Art:

I enclose herewith the executed copy of the easement for the sewer line through the lands of the Diplomat Motor Lodge in New Windsor. This has been executed by Mrs. Roscino, as President, and I have acknowledged it. Our only suggestion would be that, before any construction is undertaken on the site, to check with Dominick since he is going to change some of the topography on the site and it may be that the sewer line can be located, particularly as it affects manhole 58, so that there would never be a danger of requiring it to be reinforced. If this is coordinated before the construction commences, it can save the Town some money and my client some inconvenience.

I believe that this is the last item relating to Sewer District 17 to be accomplished on our part.

Very truly yours,

RICHARD J. DRAKE

RJD:kfw
enc.

cc: Supervisor Theodore F. Marsden
555 Union Avenue
New Windsor, New York 12550

C
O
P
Y

PUBLIC NOTICE OF
HEARING BEFORE THE
ZONING BOARD OF APPEALS
PLEASE TAKE NOTICE that
the Zoning Board of Appeals of
the Town of New Windsor, New
York, will hold a public hearing
pursuant to Section 43A of the
Zoning Ordinance on the following
proposition:

APPEAL NO. 9
REQUEST of Diplomat Motor
Lodge, Inc. for a variance of the
regulations of the Zoning
Ordinance, to permit construction
of a motel and restaurant, a
variance of Article III Section 43
to property owned by him sit-
uated as follows: Union Avenue,
between the property of the
County of Orange, James Z. Pat-
salos, and the New York State
Thruway.

Said hearing will take place the
15th day of May, 1972 at the
Town Hall beginning at 8:30 p.m.

FRED WYGANT

Chairman

By: PATRICIA DELIO,

Secretary

May 4

Adopted 12/20/65

APPLICATION FOR VARIANCE

Application No. 72-9

Date: May 2, 1972

TO THE ZONING BOARD OF APPEALS OF THE TOWN OF NEW WINDSOR, NEW YORK

I (We) Diplomat Motor Lodge of 16 Clark Street
(Street & Number)

Newburgh

New York

HEREBY MAKE

(State)

APPLICATION FOR A VARIANCE:

A. Location of the Property (no number) Union Avenue G I
(Street & Number) (Zone)

B. Provision of the Zoning Ordinance Applicable: (Indicate the article, section, sub-section and paragraph of the Zoning Ordinance applicable, by number. Do not quote the ordinance.) §48-11 (B) (3)

C. NOTE: NECESSARY FINDINGS: Before any Variance is granted, the Zoning Board of Appeals must find all of the following conditions to be present:

1. Conditions and circumstances are unique to the applicant's land, structure or building and do not apply to the neighboring lands, structures or buildings in the same zone because: Premises are well suited to a motel site. The acreage abuts to N. Y. State Thruway and is located on good access roads to the N. Y. State Thruway and Interstate. Adjoining land is owned by the County of Orange and not available for development purposes. Re-
lot is owned by James Z. Patsalos, a portion of which is being used for a truck warehouse and the
remainder is, upon information and belief, undeveloped. Applicant previously owned a motel in
Town of Newburgh, taken for highway purposes and applicant owns no other lands on which to re-
place said motel.

2. Strict application of the provisions of this ordinance would deprive the applicant of a reasonable use of the land, structure or building in a manner equivalent to the use permitted to be made by other owners of their neighboring lands, structures or buildings in the same zone because: The zone in question is commercial, being G I
The desired use is permitted under GB (B)(3). Applicant is a motel corporation and the erection
of a motel and restaurant would be reasonable use to be made of the land. A motel would pre-
sent a better use of applicant's land than uses permitted in G B zone.

3. The unique conditions and circumstances are not the result of actions taken of the applicant subsequent to the adoption of the Ordinance because: Applicant operates a motel in the Town of Newburgh at the intersection of Route 84 and Union Avenue; a redesign of Route 84 exit ramps resulted in its property being condemned by N. Y. State. This property in question is the nearest site applicant could get to replace its motel and restaurant. Applicant requested a rezoning of the premises and funded a sewer extension study to make the use feasible. Upon information and belief, the Town Board is considering a rezoning of the area to permit the intended use and a variance would not violate the spirit or intent of the ordinance. Uses normally permitted in a higher zone (G B) would upgrade the character of this G I district and bring to the Town a better tax ratable than those uses permitted in a G I zone.

4. Relief, if approved, will not cause substantial detriment to the public good or impair the purposes and intent of this Ordinance because: The use requested, being commercial, is not in violation of the spirit of a commercial zone. Furthermore, the motel and restaurant will be a commercial tax ratable that will not require increased services or bring to the Town additional needs for schooling of new children.

5. Relief, if approved, will not constitute a grant of special privilege inconsistent with the limitations upon other properties in the zone because: The zone, being commercial, the variance operates to permit a modification of the use required in degree between two commercial zones. As such, the use could complement existing uses and in no instance would the proposed use create any special privilege or place any burden on the adjoining lands.

D. Describe in detail how the property is to be used and submit plans or sketches in duplicate.

See plans attached

E. Application to be accompanied by two checks, one payable to the Town of New Windsor in the amount decided by the Board and the second check payable to the Secretary for taking the public hearing minutes. Applications to be returned to: Secretary of ZBA.

F. NOTICE OF HEARING: Applicant agrees to send notice of any public hearing via registered or certified mail to all abutting land owners as required by Sec. 9.4.1. of the Ordinance.

G. If the property in question is located within a radius of 500 ft. of an adjoining municipality, the Board should be notified. Also, have your attorney check Sec. 239 I&M of the Gen. Municipal Law to see if it applies. If so, notify the Orange County Planning Board by sending them an application.

Dated: May 2, 1972

Edward J. Draf
Signature of Applicant

STATE OF NEW YORK) SS.:
COUNTY OF ORANGE)

Sworn to on this 2 day of May, 1972.

17 Clark Street, Newburgh, N. Y.
Address

Richard J. Draf
(Notary Public)

Telephone Number

(DO NOT WRITE IN THIS SPACE)

Application No. _____
Date of Hearing _____
Date of Decision _____

Date Received _____
Notice Published _____

DECISION:

BERNARD KESSLER, P.E.

Consulting Engineer

6 FLEETWOOD AVENUE

Spring Valley, N.Y. 10977

914 356-0217

August 22, 1972

Town of New Windsor Planning Board

Re: N.Y. Telephone Co.-Buried Cable on Mt. Airy Road

This proposed buried cable is covered under Section 38-8 (Subsequent Excavations) of Local Law #2 of 1972. Under this section, the work permit is given by the Town Engineer or the Highway Superintendent, after approval under Section 38-4 of the Planning Board.

If this work can be accomplished on the unpaved portion of the right-of-way, no maintenance bond need be posted. If it is necessary to excavate the paved roadway, and using a three foot wide disturbed area, the cost of repaving three inches thick will be approximately \$1/lineal foot. The required maintenance bond is therefore 10 cents per foot, or, for 1550 feet, \$155.

It should be noted that while working in the Newburgh Reservoir drainage area, the contractor should backfill all trenches by nightfall each day, so that any rainfall does not wash silt into the reservoir.

Bernard Kessler

BARBONE & HABIG, ARCHITECTS

210 EAST MAIN STREET • MIDDLETOWN, NEW YORK 10940 • (914) 342-3969

PETER P. BARBONE, ARCHITECT, AIA, AAA
ROBERT E. HABIG, ARCHITECT

The Eleventh of September, Nineteen Hundred and Seventy-Two

The Honorable George Shaw, Mayor, City of Newburgh, City Hall,
Newburgh, New York

ATTENTION: Mayor George Shaw

DEAR MAYOR SHAW: Enclosed you will find two copies of the site plan of the proposed Diplomat Motor Hotel Complex, which is located in the Town of New Windsor. The reason this is being forwarded to you is that the Department of Planning of the County of Orange feels as though there shall be additional run-off water from this Complex from the paved areas. This is not entirely true as we plan to drain the parking lots and empty any of the accumulations of water into dry wells on our site. Therefore, I am saying in my opinion that there will not be any additional run-off other than what is now occurring. I would like you to look these site plans over carefully and kindly forward your comments to the Chairman of the Town of New Windsor Planning Board for their files, as we are planning to submit these drawings for final approval on the 27th of September, 1972. If you do have any questions, kindly call me. I would appreciate it if you would expedite this.

Sincerely,



Peter P. Barbone
Barbone & Habig, Architects

PPB/bj
Enclosures

CC: Mr. Joseph Tallarico ✓
Mr. Joel Shaw

TOWN OF NEW WINDSOR
555 Union Avenue
565-8808

DATE Sept. 14 - 72

APPLICATION is hereby made for the following:

Agenda _____ Service _____

✓ 1. Name Diplomat Motor Lodge, Inc.

Address 16 Clark St. Newburgh, N.Y.

Telephone number 561-7304 or 562-4600

Are you the owner of the property? yes,

✓ 2. Briefly describe intention (or attach) and location of property:

attach Map.

3. PLANNING BOARD

✓ _____ Site Plan Preliminary Meeting

_____ Subdivision Preliminary Meeting

_____ Informational Meeting

AGENDA DATE _____

4. ZONING BOARD OF APPEALS

_____ Interpretation of Ordinance or Map

✓ _____ Variance (Notify P/B - plans if necessary)

_____ Informational meeting

AGENDA DATE _____

5. BUILDING PERMIT

_____ Planning Board action needed

_____ Z.B.A. action needed

_____ Site plan needed

_____ Subdivision approval needed

_____ Water, Sewer and Highway action needed

ACTION TAKEN:

I do hereby affirm that all fees, permits and charges applicable under the laws and ordinances of the State of New York and the Town of New Windsor will be paid and that any expenses for advertising of Public Hearing or meetings will be paid. Also any legal or engineering fees for review of this project.

Signed: _____

(APPLICANT)

TOWN OF NEW WINDSOR
ORANGE COUNTY, N. Y.
OFFICE OF ZONING - BUILDING INSPECTOR

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

File No.

Date April 14, 1972

To Diplomat Motor Lodge Inc.

16 Clark Street

Newburgh, New York 12550

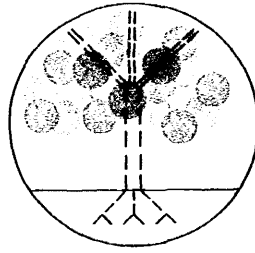
PLEASE TAKE NOTICE that your application dated April 14, 1972
for permit to Erect Motel, Restaurant and Gasoline station
at the premises located at Union Avenue

is returned herewith and disapproved on the following grounds:

Area zoned OLI- Not a permitted use. Motel and Restaurant requires
G.B. Zone Gasoline Station permitted as conditional use.

.....
Building Inspector

Department of Planning



County of Orange

Peter Garrison, A.I.P., Commissioner
Edwin J. Garling, A.I.P., Deputy Commissioner

The County Building
Goshen, New York 10924
(914) 294-5151

Louis V. Mills, County Executive

May 11, 1972

Mr. Fred Wygant, Chairman
Town of New Windsor Zoning Board of Appeals
Forge Mill Road
New Windsor, New York 12550

Re: Use Variance - Diplomat Motor Lodge
County Road 36 (Union Avenue)

Dear Mr. Wygant:

This office has received and reviewed the above variance application. The following comments are the result of this review:

1. At the present time, the property is zoned G1. The petition before your Board is for a variance to erect a motel and restaurant and service station on the parcel. The service station component of the proposal is a conditional use subject to the approval of the Zoning Board and site plan approval by the Planning Board.
2. Our recommendation to the Town Planning Board and Town Board is to rezone the area to OLI and not a general business designation. An OLI designation would be the least likely to cause such problems as pollution to Lake Washington and congestion and relatively unsafe traffic conditions in this area.
3. The motel use would not be inconsistent and could be a part of the proposed OLI district. However, due to the nature of this use as it relates to the proposed expansion and development of Stewart, a critical review should be made, taking into consideration the proximity of the site to runway 16-34 (north-south).
4. The applicant, Dominick Rescino, agreed, in 1970, that there would be no driveway or any connection onto the County Road. All access would be from Square Hill Road. The site plan, which will have to be reviewed by us when submitted to the Town Planning Board for approval, shows access onto the County Road. This should be revised, in accordance with the agreement. A copy of this agreement is enclosed.

Mr. Fred Wygant
New Windsor ZBA

-2-

May 11, 1972

Therefore, acting under the provisions of Sections 239, L and M, of the General Municipal Law, we grant conditional approval subject to the consideration of the above Items #3 and #4; the favorable recommendation of the use by the Federal Aviation Administration; its relationship to the MIA Stewart Master Plan (to be released on or about June 1st of this year); and the submission of a revised site plan to us, the County Department of Public Works, and others at the appropriate time.

Very truly yours,

Peter Garrison
Commissioner of Planning

PG:mj
Reviewed by:
Joel Shaw
Senior Planner

Enclosure

cc: D. Lisack
Richard Drake
Joseph Tallarico
George Gary



1763

OFFICE OF THE SUPERVISOR

TOWN OF NEW WINDSOR

Supervisor
Theodore F. Marsden
555 Union Avenue
New Windsor, New York 12550
(914) 565-8800

April 9, 1973

Planning Board
Town of New Windsor
555 Union Avenue
New Windsor, New York 12550

Gentlemen:

As per my previous correspondence, I indicated that the Diplomat Motel was in agreement to the easement proposed for Sewer District #17. Enclosed please find copy of map #17 indicating such easement. I would request that this easement be signed, as they indicated they would prior to final approval of site plan.

Some time ago, the Attorney for this district sent a map description and easement to the Attorney for the applicant. We have not received the signed easement to date.

I wish to thank you for your attention in this matter.

Very truly yours,

THEODORE F. MARSDEN,
Supervisor
Town of New Windsor

TFM/pk
enc.
cc: Kartiganer Assoc.
A. Maharay
R. Drake

04/10/73

cc to
1/10 - Please note
1/10 - Please note
1/10 - See me

SCOTT & HOYT & DRAKE
ATTORNEYS AND COUNSELORS AT LAW

J. BRADLEY SCOTT (1894-1962)
JULIUS LARKIN HOYT
RICHARD J. DRAKE
LORRAINE COTÉ DEVERS

POST OFFICE BOX 511
233 LIBERTY STREET
NEWBURGH, NEW YORK 12550
(914) 562-3540

January 23, 1973

Mr. Theodore Marsden, Supervisor
Town of New Windsor
Town Hall
555 Union Avenue
New Windsor, New York 12550

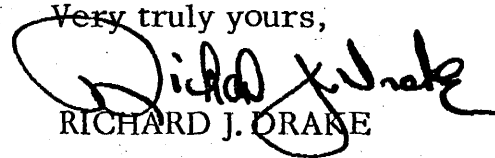
Re: Diplomat Motor Lodge

Dear Ted:

Having concluded in essence the understanding for the sewer line through lands of Diplomat, we are now anxious to conclude the matter. Also, I would like this letter taken as a request for the replacement of a fire hydrant which was located on the premises owned by Diplomat and, for some reason, unknown to my client, was moved to premises on Square Hill Road to serve Liner Storage. It is extremely important to the Motel to have a fire hydrant replaced and, therefore, we respectfully request the Town to investigate the matter and, if feasible, replace the fire hydrant. It is my understanding that the line is in place and the only thing required is the installation of the plug and reopening of the shut-off.

As a second point, we had progressed with the Planning Board to the point where final site plan approval was imminent from the Planning Board and was held up at the request of Kartiganer pending the determination of the sewer easement. Because of this, we are anxious to have our final approvals and receive the building permit. For that reason, we are anxious to conclude the agreement with the Town so we may exhibit the same to the Planning Board and, hopefully, receive the site plan approval and a building permit.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Richard J. Drake", written over the typed name.

RICHARD J. DRAKE

RJD:kfw

BERNARD KESSLER, P.E.
Consulting Engineer
6 FLEETWOOD AVENUE
Spring Valley, N.Y. 10977

914 356-0217

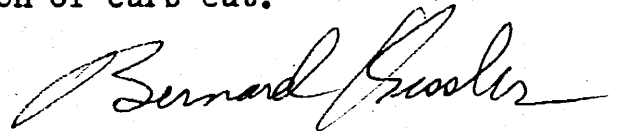
April 23, 1973

To: Town of New Windsor Planning Board

Subject: Diplomat Motel Site Plan.

This site plan may receive preliminary approval. The following additions should be made prior to final submission.

1. Provide another dry well to service the southerly part of the motel parking area.
2. Indicate the number of motel rooms and restaurant seats so that proper number of parking spaces is assured.
3. Obtain County approval for location of curb cut.





1763

OFFICE OF THE SUPERVISOR

TOWN OF NEW WINDSOR

Supervisor
Theodore F. Marsden
555 Union Avenue
New Windsor, New York 12550
(914) 565-8800

January 26, 1973

Joseph Tallarico, Chairman
New Windsor Planning Board
Parkhill Drive
New Windsor, New York 12550

Re: Diplomat Motor Lodge

Dear Joe:

The Town with regards to Sewer District #17
have reached a mutual agreement with Mr. Roscini
for the sewer easement.

This is in the process of being finalized by
agreement and will be completed when the engineering
work is done.

As far as the Town is concerned I see no reason to
delay service and the application pending before you.

Respectfully,

THEODORE F. MARSDEN
Supervisor

TFM/km

cc: Kartiganer
Richard J. Drake, Esq.

cc 1/25 ok/aw

SCOTT & HOYT & DRAKE
ATTORNEYS AND COUNSELORS AT LAW

J. BRADLEY SCOTT (1894-1962)
JULIUS LARKIN HOYT
RICHARD J. DRAKE
LORRAINE COTÉ DEVERS

POST OFFICE BOX 511
233 LIBERTY STREET
NEWBURGH, NEW YORK 12550
(914) 562-3540

April 11, 1973

Mr. Herbert L. Kartiganer
Kartiganer Associates, P. C.
557 Blooming Grove Turnpike
New Windsor, New York 12550

Re: Diplomat

Dear Herb:

We appeared at the Planning Board meeting and I received the easement agreement that Art Maharay had left for me with the Planning Board.

The easement does not contain the agreement that the Town will construct the easement in such a way that wherever needed or wherever required a building could be built over the top of the easement or have the easement relocated at the direction of the owner. However, those are minor details which are not a serious problem. What I would like to accomplish through this letter, a copy of which I am sending to Barbone & Habig, is that they contact you and make an appointment so that we may coordinate the location of the sewer easement. You will notice from the preliminary map I am enclosing with this letter that the sewer easement based upon the description provided in the agreement and on your map locates the easement where the red line appears on our map. The prior blue line sewer easement location is the position where it was put based upon your earlier map and there is now a substantial variation. It is Dominick's desire and our request that we move the easement as close to the prior location as possible. I am, therefore, requesting that Bob Habig contact you and make an appointment for a representative of your office and the architects to meet either at your office or in the field, if necessary, to clarify this point. We are only talking about the most southerly portion of the easement line as it runs along the parking area for the proposed motel. If this can be clarified, I would like to have the Diplomat execute the easement agreement, with the revisions, and accomplish all of this before the next meeting of the Planning Board.

Very truly yours,

Richard J. Drake
RICHARD J. DRAKE

RJD:kfw
enc.

received & filed
4/25/84

C
O
P
Y

Mr. Herbert L. Kartiganer

-2-

April 11, 1973

cc: Mr. Theodore Marsden, Supervisor
Town of New Windsor
555 Union Avenue
New Windsor, New York 12550

Arthur O. Maharay, Esq.
542 Union Avenue
New Windsor, New York 12550

Barbone & Habig, P. C.
210 East Main Street
Middletown, New York 10940
Attention: Mr. Robert Habig

Mr. Dominick Roscino
Box 2085
Newburgh, New York 12550

Date _____

Application No. 73-26

TOWN OF NEW WINDSOR PLANNING BOARD

555 Union Avenue; Tel: 565-8808

APPLICATION FOR SITE APPROVAL

Name DIPLOMAT MOTOR LODGE, INC.

Address Union Avenue, Town of New Windsor, New York (P.O. Box 2085)

1. Owner of the property Diplomat Motor Lodge, Inc.

2. Location of the property west side of Union Avenue, New Windsor

3. zone area G-1

4. Nature of business Motel and Restaurant

5. Lot size: Front approximately 1580 ft. Rear approximately 1300 ft. Depth 500 ft.

6. Building setbacks: Motel Front yard 400 ft. Rear yard 60 ft.
Restaurant Front Yard 100 ft. Rear Yard 90 ft.
Motel Side yard 180 - 140

7. Dimensions of new building Restaurant Side Yard 600 - 1200 Motel: 450' x 50'

~~addition~~ Restaurant: 110' x 45'

If addition, state front, side, rear of existing structure:

Compliance with requirements shall be the sole responsibility of the applicant or his representative and it is suggested a copy of the Zoning Ordinance be obtained, with particular attention to Article X to avoid rejection of the plans.

I do hereby affirm that all fees, permits and charges applicable under the laws and ordinances of the State of New York and the Town of New Windsor will be paid and that any expense for advertising of Public Hearing or meetings will be paid. Also, any legal or engineering fees for review of this project. Fees are due and payable upon submission of preliminary plans. All checks are to be made payable to the Town of New Windsor. Seven (7) copies of the plans are required.

Signature of applicant
Diplomat Motor Lodge, Inc.
By: Scott & Hoyt & Drake
Scott & Hoyt & Drake, Agents

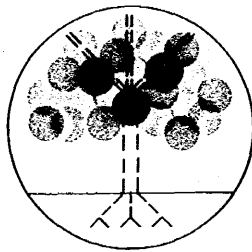
Presubmission _____

Final Approval 5/9/73

Adopted 10/5/70

Department of Planning

Peter Garrison, A.I.P., Commissioner
Edwin J. Garling, A.I.P., Deputy Commissioner



The County Building
Goshen, New York 10924
(914) 294-5151

County of Orange

Louis V. Mills, County Executive

April 16, 1973

4125/73
JH

Mr. Joseph Tallarico, Chairman
Planning Board, Town of New Windsor
Park Hill Drive
New Windsor, New York 12550

RE: Site Plan Review - Diplomat Motor Lodge
County Road 38 (Union Avenue)
Our File No. 72-117-M

Dear Mr. Tallarico:

We have received a copy of the above preliminary site plan. For your information, we note that we met with the applicant, his attorney and architect, and the County Department of Public Works at the site on the 20th of March 1973, to resolve the question of access onto the County road. This latest submission represents, in part, the result of that meeting.

1. Since motorists will, on occasion, use Square Hill Road for access, some improvements ought to be made regarding the present alignment of that road with the County road. This situation will, undoubtedly, get worse in time as people use the facilities and as additional buildings are erected on the site.
2. The applicant will probably, in the future, seek to locate the gas station, bank, and office building on the site. Will the applicant rely on the main entrance or seek an additional point of access onto the County road?
3. Will the sign near the main entrance be used to convey information for all the uses or will additional signs be placed at other locations on the site?
4. Because of the reservoir, connection into public sewerage is essential. The building permit should not be issued until this part of the Town's system is built and operational.
5. Sound-proofing is essential (proximity to Stewart Airport and the New York State Thruway).

Mr. Joseph Tallarico

Page 2

April 16, 1973

Our File No. 72-117-M

6. The parking area west of the pool does not provide for continuous vehicular movement. By removing several parking stalls, drivers will be able to move freely through the area without having to back up.
7. Subsequent plans should include all of the requirements of the County Department of Public Works (a copy of the Department's correspondence to us is enclosed).

Very truly yours,



Joel Shaw
Senior Planner

JS/bd
Enclosure

cc: John C. Doyle, Planning Board Chairman
City of Newburgh
William Price, Sr.
Department of Public Works, Orange County

UNITED STATES DEPARTMENT OF AGRICULTURE

SOIL CONSERVATION SERVICE

239 Wisner Avenue, Middletown, New York 10940

SUBJECT: Diplomat Motor Hotel Complex, County Road 38
(Union Avenue)

DATE: September 21, 1972

TO: Mr. Joel Shaw
Senior Planner
County of Orange
Department of Planning
The County Building
Goshen, New York 10924

Dear Mr. Shaw:

The above site was reviewed in accordance with your request to the Orange County Soil and Water Conservation District. The comments below are based on the soil survey and a field visit.

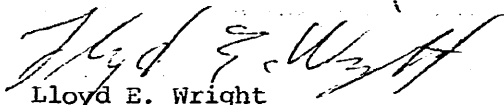
1. Most of the soils on this site are 40B, Bath on slopes of 3-8 %. These soils are well-drained in the upper layers with a slow permeable layer at about 30 inches. They have slight to moderate limitations for building sites.
2. There is a small area of 83, Alden soils. These soils are very poorly drained with a seasonal high water table at the surface and ponding during part of the year. This area has severe limitations for building sites because of the high water table. This area is planned for future expansion. Drainage will be the major problem in using this area.
3. Erosion is likely to be a major problem in the development of this site. Much of the cover has already been removed from the site. The area should be seeded as soon as possible, using a temporary seeding if necessary. (See the Orange County Soils Interpretation Report.)
4. The plans also show a gas station for the future. The drainage from this site will run into Lake Washington, and ~~any~~ gas spillage will go directly into the lake.

Summary:

Plans should be made to show how the developer will control siltation as well as oil and gas spillage. The Town should also note that the oil and gas spillages from cars in the large parking lots will run into the lake.

This is the second gas station to be planned along this lake in the last few months. The Town and the City of Newburgh may want to develop some long range plans as to how the lake will be protected and what is the best type of development with the least amount of pollution to the lake.

Sincerely,


Lloyd E. Wright

District Conservationist





OFFICE OF THE BUILDING & ZONING INSPECTOR
TOWN OF NEW WINDSOR

Howard R. Collett
555 Union Avenue
New Windsor, New York 12550

December 5, 1973

Mr. Roscino
Diplomat Motor Hotel
Union Avenue
New Windsor, New York 12550

Dear Mr. Roscino:

This letter is to confirm our conversation at your site with regards to the location of your proposed motel.

A permit was issued to you for a foundation for your proposed motel as per site plan approval by the Planning Board.

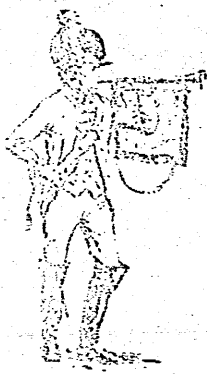
The rear yard of the proposed construction as per site plan is fifty feet. You have only allowed about twenty eight feet.

A building permit will not be issued for construction up until such time as the building is located as per site plan or the Planning Board permits a modification of the approved plan.

Yours truly,

Howard R. Collett
HOWARD R. COLLETT
Building Inspector

HRC/km
cc: Planning Bd.



1763

OFFICE OF THE SUPERVISOR

TOWN OF NEW WINDSOR

Supervisor
Theodore F. Marsden
555 Union Avenue
New Windsor, New York 12550
(914) 565-8800

July 2, 1973

7-11-73
J

Richard Drake, Esq.
233 Liberty Street
Newburgh, New York 12550

Dear Dick:

In previous communication with you and the Planning Board you indicated that you had executed the easement for S.D.#17 with the Diplomat Motel property.

I have not yet received an executed copy of this easement.

Would you please furnish my office with this so that this may be duly filed at the County Clerks office.

Thank you for your cooperation in this matter.

Respectfully,

Theodore F. Marsden
THEODORE F. MARSDEN
Supervisor

TFM/km
cc: Kartiganer
Planning Bd.
Art. Maharay, Esq.



ALFRED H. PETERSON, P.E.
Commissioner

COUNTY OF ORANGE / Department of Public Works

ROUTE 17-M P.O. BOX 509
GOSHEN, NEW YORK 10924
TEL: Office 294-7951 - Garage 294-6119

May 3, 1973

Re: Diplomat Motor Lodge
County Road No. 38

Richard J. Drake, Esq.
Scott & Hoyt & Drake
P. O. Box 511
Newburgh, New York 12550

Dear Mr. Drake:

I received your letter of May 2nd and have again reviewed the site plan of the above subject motor lodge. I will approve the one main curb cut to the motel site, as shown on site plan received in this office April 6, 1973.

You state that your client has withdrawn the request for the gas station, bank and office building at this time. I am sure that he hasn't forgotten them; so I can expect future discussion on this area.

As for the existing drive from the residence, this drive was put in some time ago without approval from this office, so I see no reason to approve it now.

I trust this will clarify your problem with the New Windsor Planning Board.

Very truly yours,

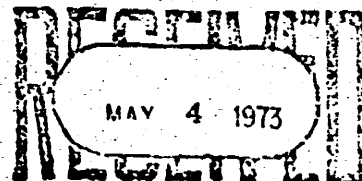
ALFRED H. PETERSON,
Commissioner

By:

William C. Price, Sr.
William C. Price, Sr.,
Senior Engineer

WCPSR:rmh

CC: Mr. Joel Shaw
Barbone & Habig
Mr. Dominick Roscino





ALFRED H. PETERSON, P.E.
Commissioner

COUNTY OF ORANGE / Department of Public Works

ROUTE 17-M P.O. BOX 509
GOSHEN, NEW YORK 10924
TEL: Office 294-7951 - Garage 294-6119

April 6, 1973

Re: Diplomat Motor Hotel
County Road No. 38

Mr. Joel Shaw, Senior Planner
Orange County Department of Planning
County Government Center
Goshen, New York 10924

Dear Mr. Shaw:

Just a quick review of the above preliminary submission dated
April 5, 1973.

I have no objection to the main entrance as shown on this plan.
Will this be the only curb cut onto the County road? What happened
to the gas station, the bank and the office building?

There is no approved existing drive as indicated on the drawing
from the existing residence.

The County road number is 38, not 387.

All of the subdivision requirements pertaining to this project
should be included with the next submission.

Very truly yours,

ALFRED H. PETERSON,
Commissioner

WCPSR:rmh

By:

William C. Price, Sr.
William C. Price, Sr.,
Senior Engineer

CC: Barbone & Habig, Architects

SCOTT & HOYT & DRAKE
ATTORNEYS AND COUNSELORS AT LAW

J. BRADLEY SCOTT (1894-1962)
JULIUS LARKIN HOYT
RICHARD J. DRAKE

LORRAINE COTÉ DEVERS

POST OFFICE BOX 511
233 LIBERTY STREET
NEWBURGH, NEW YORK 12550

(914) 562-3540

March 30, 1973

Mr. Joseph C. Tallarico
Planning Board, Town of New Windsor
555 Union Avenue
New Windsor, New York 12550

Re: Diplomat Motor Lodge

Dear Mr. Tallarico:

Because of the problems that relate to the highway road cuts and the location of the sewage easement line, we have been unable to complete the site plan of the Diplomat Motor Lodge and have, therefore, on prior occasions withdrawn the application from the Planning Board because it was our feeling that we had to have an understanding as to which direction we would proceed in.

We now would like to appear on the agenda before the Planning Board at the April meeting for the final site plan review, which will be limited to the motel and the restaurant.

We regret any inconvenience we have caused the Planning Board but it seems that we should clarify these other areas so that when we come to the Planning Board, we would have to make only one final representation.

Very truly yours,


RICHARD J. DRAKE

RJD:kfw

cc: Mr. Howard Collett, Building Inspector
Town of New Windsor

Mr. Theodore F. Marsden, Supervisor
Town of New Windsor

May 18, 1970

Mr. Dominick Roscino, President
Diplomat Motor Lodge
P. O. Box 2085
Newburgh, New York 12550

Dear Mr. Roscino:

This is to confirm our conversation with you on Friday P.M., May 15, 1970, when we agreed and understood that there would be no driveway or any connections to the County Road (Union Avenue) from your property except the utilities. All access to your property, as recorded in the Office of the Orange County Clerk, October 30, 1969, in Liber 1833 at Page 602 of Deeds, will be made from the Town Road, formerly Silver Stream Road, now Square Hill Road.

If you have changed your mind, kindly advise this office by return mail. If we do not hear from you by Monday, May 25, 1970, we will assume that this arrangement is satisfactory. We will then process the permit for water and notify Mr. Howard Collett, the building inspector, so that you may continue with the single residence as planned.

Very truly yours,

ALFRED H. PETERSON,
Commissioner of Public Works

By:

WCPS:rmh

William C. Price, Sr.,
Senior Engineer

CC: Mr. Howard Collett
Building Inspector, Town of New Windsor

Mr. Joseph Craig
Water Supt., Town of New Windsor

Memo FROM:

OFFICE OF THE SUPERVISOR

THEODORE F. MARSDEN

TOWN OF NEW WINDSOR

555 UNION AVENUE

NEW WINDSOR, NEW YORK 12550

PHONE 565-8800

TO:

Zoning Board of Appeals
Planning Board

DATE: April 21, 1972

SUBJECT:

—FOLD HERE—

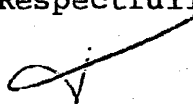
Gentlemen:

Regarding a review of the land for the Diplomat Motel, this is to advise you that it will be necessary for the Town of New Windsor to obtain an easement for S. D. #17 purposes on the property of Mr. Roscini, and we would call attention to the traffic hazards that exist at the intersection of Square Hill Road and Union Avenue, which we feel could be rectified by another entrance or exit at the tip of this property or the location of the proposed service station.

I would wish the cooperation of both boards in helping the Town to obtain these necessary requirements, improve the general welfare of the Town in general for this particular area.

Your cooperation in this matter would be greatly appreciated.

Respectfully,


THEODORE F. MARSDEN

by _____
Supervisor

TFM/pd cc: Art, Mr. Stanton, Kartiganer

ZONING BOARD OF APPEALS
Town of New Windsor, New York 12550

Forge Hill Rd.
New Windsor, N. Y.
September 15, 1972

Joseph C. Tallarico, Chairman
New Windsor Planning Bd.
555 Union Avenue
New Windsor, N. Y. 12550

RE: DIPLOMAT MOTOR LODGE

Dear Mr. Tallarico:

Reference is made to your Planning Board minutes of July 26th on page 3 - Item No. 10. This portion of minutes refers to a bank and gas station proposed by the Diplomat Motor Lodge.

We enclose for your information a copy of the June 5, 1972 minutes of the Zoning Board of Appeals which included a motion by the Board to approve the variance application of the Diplomat Motor Lodge. The motion approves the erection of a restaurant and motel - does not mention a gas station or bank.

Please may we hear from you regarding this situation as soon as possible.

Thank you.

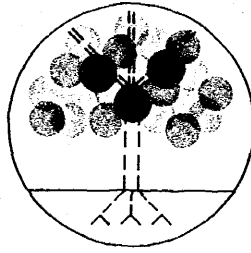
Yours truly,

Fred Wygant
Fred Wygant, Chairman

/pd

Enc.

Department of Planning



County of Orange

Peter Garrison, A.I.P., Commissioner
Edwin J. Garling, A.I.P., Deputy Commissioner

The County Building
Goshen, New York 10924
(914) 294-5151

Louis V. Mills, County Executive

September 26, 1972

Mr. Joseph Tallarico, Chairman
Town of New Windsor Planning Board
Park Hill Drive
New Windsor, New York 12550

RE: Diplomat Motor Hotel Complex
County Road 38 (Union Avenue)

Dear Mr. Tallarico:

It has been brought to our attention that a hearing on the above proposal is scheduled for September 27, 1972.

In our letter of August 24, 1972, we withheld the granting of our approval pending revisions, additional information, and the review by several other governmental units (the Soil Conservation Service, FAA, City of Newburgh). We have forwarded to you and the applicant's architect the information we have thus far received. A copy of the Soil Conservation Service's comments is enclosed for your review.

By now, we would assume there have been some changes and that the applicant has complied with Part 77 of the Federal Aviation Regulation. We assume, too, that the City of Newburgh has reviewed the site plan and commented to your Board. However, we do not know if these items, and others, have been complied with. In order for us to determine whether or not our suggestions, and the suggestions of others, have been incorporated into the site plan, we should have received a revised plan showing these changes and answering the questions posed in our previous letter to your Board.

We will, therefore, continue to withhold the granting of our approval until we receive this additional information.

Very truly yours,

Joel Shaw
Senior Planner

JS/bd

cc: Martin Gach, FAA
Mr. Hug, Newburgh City Mgr.
William Price, Sr., O.C.D.P.W.

Barbone & Habig, Architects

Enclosures

EL 3 400-56

STEWART AIRPORT

NEW YORK RTE 47 W

ELQ-2D

THRUWAY

LAKE WASHINGTON

NEW

UNION

CTY RD 60

TEN

HILL

EL 3 400-56

**PREVIOUS
DOCUMENT
IN POOR
ORIGINAL
CONDITION**

Diplomat
Motor
Lodge

HERBERT L. **KARTIGANER** P. E., L. S.
CONSULTING ENGINEERS
555 ROUTE 94 NEW WINDSOR
NEWBURGH, NEW YORK
ZIP CODE 12550 PHONE: (914) 562-4391

21 August 1972

Town of New Windsor
Planning Board
555 Union Avenue
New Windsor, New York 12550

ATTENTION: MR. J. TALLARICO, CHAIRMAN

SUBJECT: SEWER DISTRICT NO. 17/DIPLOMAT MOTOR LODGE ET. AL.
SITE PLAN

Gentlemen:

Pursuant to a telephone conversation of 17 August 1972 with the Diplomat Motor Lodge Project Architect, Mr. Barbone, R.A., please note the following:

- 1) Sewer District No. 17 - This facility has been formed within the Town of New Windsor and is presently under active design.
- 2) In accordance with the Sewer District study plans, a public easement through the Motor Lodge property is required in order to serve the extremities of the formed district.
- 3) Immediately upon formation of the District, the easement information was furnished the project architect so that he may constructively guide this office in the exact location of this easement, in order to preclude interference with proposed improvements on the property.
- 4) To date we have received no further information pertaining to this easement.

In accordance with Mr. Barbone's request to this office and on the suggestion of your Board's engineering consultant, we do not feel it is prudent at this time to furnish final site plan approval for the Diplomat Motor project until such time as the required easement is shown on the plans and the matter of public utility service is concluded.

Town of New Windsor
Planning Board

-2-

August 21, 1972

I would like to take the opportunity to thank your Board for carrying out its planning duties by coordinating Planning Board projects under review with proposed municipal public utilities. If there are any further questions on this matter, please do not hesitate to contact this office at your convenience.

Very truly yours,

KARTIGANER ASSOCIATES, P.C.

By: 

Herbert L. Kartiganer, CEC

President, Project Engineer, Town of New Windsor

HLK:lm

cc: Mr. P. Barbone, R.A.
Mr. B. Kessler
Mr. T. Marsden

BERNARD KESSLER, P.E.

Consulting Engineer

6 FLEETWOOD AVENUE

Spring Valley, N.Y. 10977

914 356-0217

August 14, 1972

Town of New Windsor Planning Board

Re: Diplomat Motor Hotel - Preliminary Site Plan

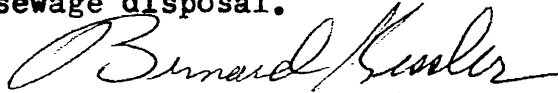
The general layout for this complex appears to be a good one, but additional information must be provided for a final review.

The site is quite steep in some areas with grades exceeding 20%. Proposed final elevations should be indicated, particularly, in the paved areas. Show retaining walls, if any, and site drainage.

Under Section 48-9D(1)f of the Zoning Law, no gasoline pumps shall be located nearer than 20' to any street line. The pumps on the layout scale to 10' from the line.

The property identification sign is shown on the county right-of-way.

Indicate the proposed means of sewage disposal.



P.S.

Discussion with Herbert Kartiganer on 8/22/72 indicates that the proposed sewer district to service this area requires the granting of an easement to the Town through this property. Any approvals should be withheld pending the granting and the final location of this easement.

No.

Planning Board

RECEIVED

APR 24 1974

TOWN OF NEW WINDSOR
ORANGE COUNTY, N. Y.
OFFICE OF ZONING - BUILDING INSPECTOR

NEW WINDSOR PLANNING BOARD

STOP ORDER

All work contemplated to be done under Building Permit No. shall be forthwith
suspended and all persons shall stop work thereon until this STOP ORDER has been rescinded.

This Order will be rescinded upon the following conditions:

SUBMIT MODIFIED SITE PLAN TO PLANNING FOR APPROVAL
RE: LOCATION OF BUILDING
SUBMIT BUILDING PLANS & OBTAIN BUILDING PERMIT
PARTIAL PERMIT ISSUED SEPT 24, 1973 FOR FOUNDATION & GRADING
ONLY

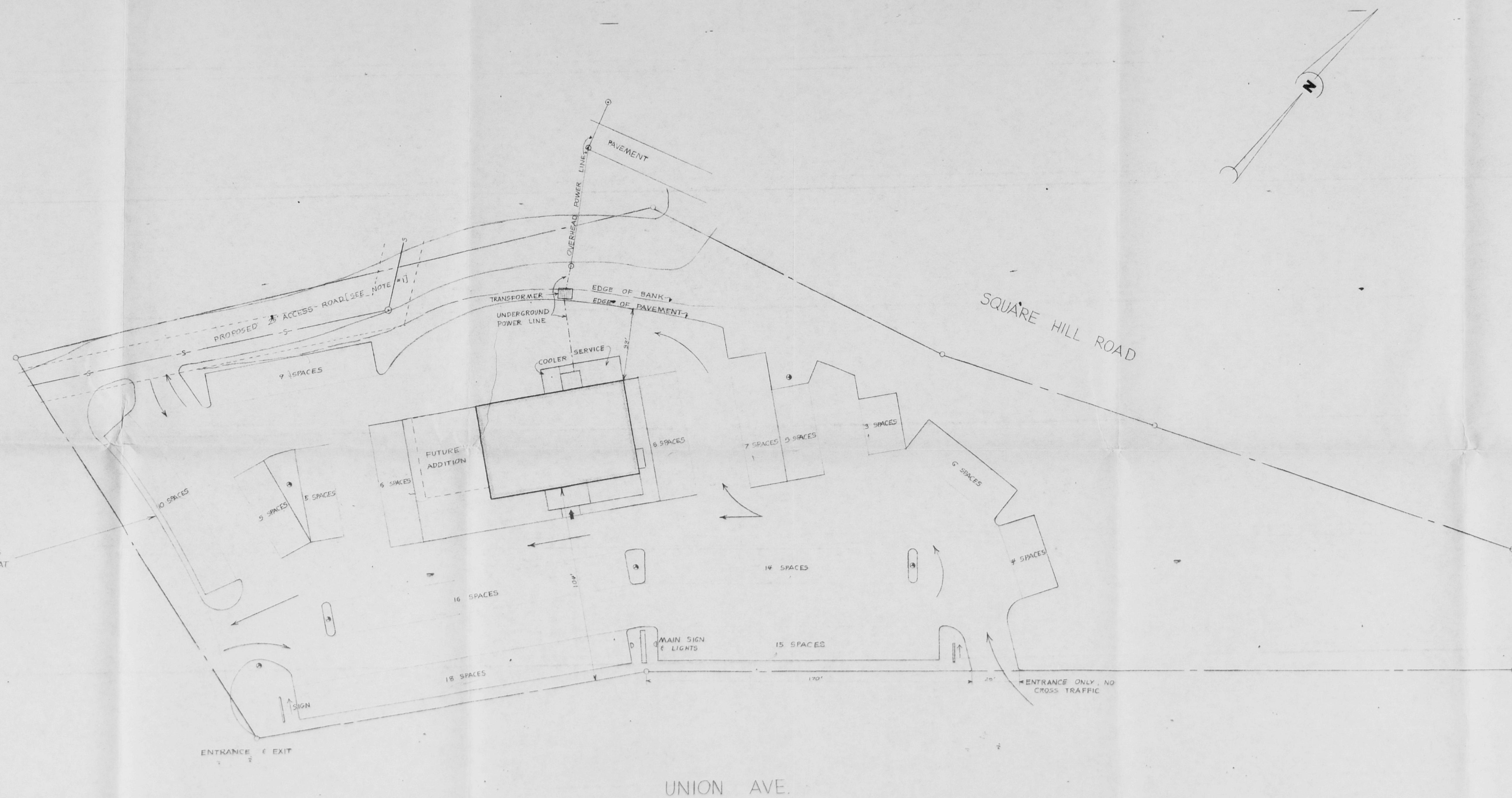
Dated: APRIL 22, 1974

Howard R. Calvert
Building Inspector

STOP ORDER RESCINDED

Dated:, 19.....

.....
Building Inspector



NOTES:

- 1- ROAD PLOTTED FROM BARBONE & HABIG MAP 'SITE PLAN - DIPLOMAT MOTOR HOTEL COMPLEX 5/8/73'
- 2- LEASE LINES PLOTTED FROM LEASE DESCRIPTION DATED 11/31/73 DIPLOMAT MOTOR HOTEL, INC. TO BANTA PROPERTIES, INC.

LEGEND:

—○—	LEASE LINE (SEE NOTE #2)
●	LIGHT POLE
—S—	SEWER LINE
- - - - -	EDGE OF 20' SEWER EASEMENT
⊙	POWER LINE

PROJECT BANTA'S STEAK & STEIN NEWBURCH, NY	
TITLE PLOT PLAN	
SCALE 1" = 30'	DATE 12/4/73
DRAWING PL-1	

MILTON CHAZEN, CEC.
CONSULTING ENGINEER
POUGHKEEPSIE, N.Y. 454-3980

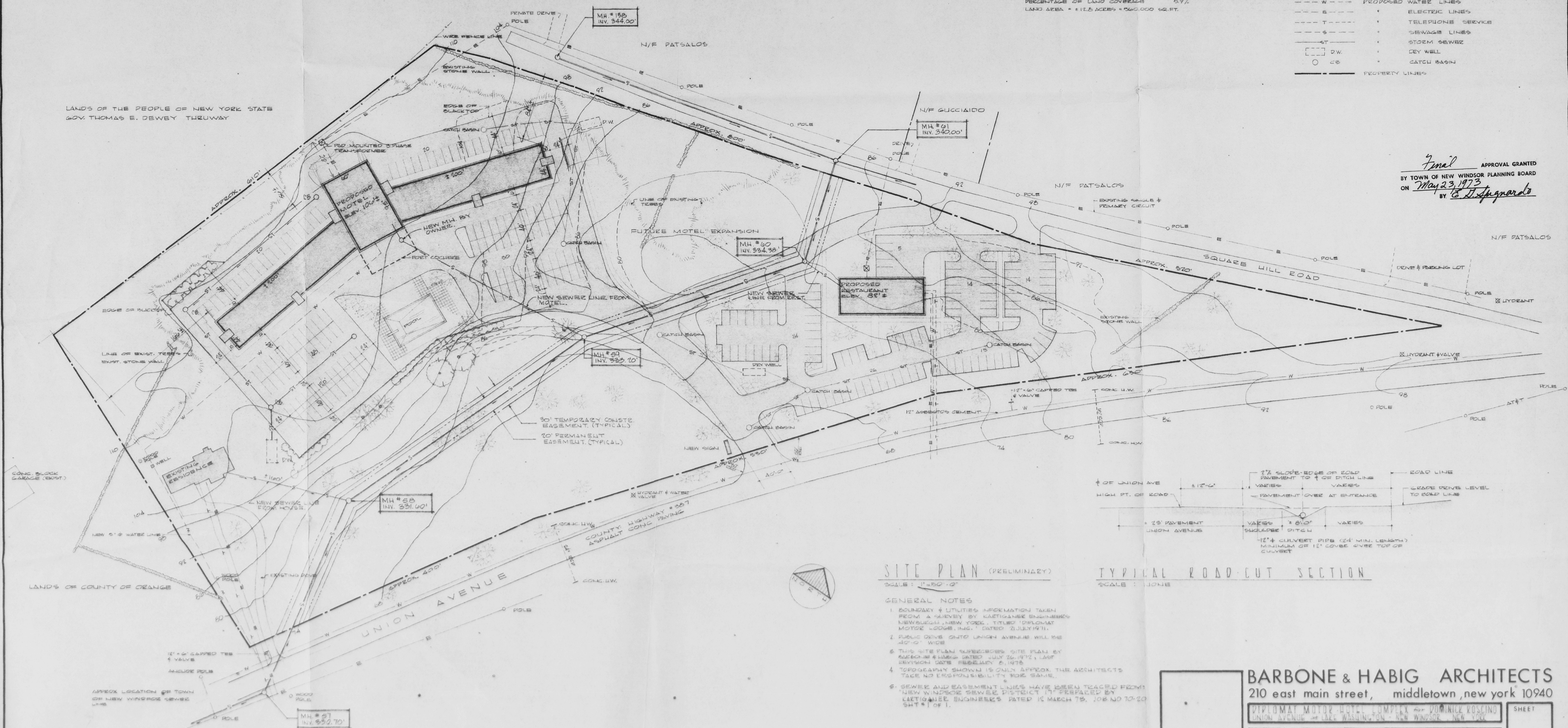
100
400.0
1 each 3 each
110
150

BUILDING	LAND COVERAGE (SQUARE FEET)	TOTAL AREA (SQUARE FEET)	PARKING (CURBAGE)
MOTEL	25,000	50,000	132
RESTAURANT	5,280	5,280	98
RESIDENCE	2,560	—	—

LEGEND

EXISTING GRADES		NEW GRADES	
PROPOSED FUTURE STRUCTURES		EXISTING BUILDING	
-W-		EXISTING WATER LINE (APPROX. LOCATION)	
E	"	ELECTRIC SERVICE (APPROX. LOCATION)	
T	"	TELEPHONE	" "
S	"	SEWAGE LINES	" "
-W-		PROPOSED WATER LINES	
E	"	ELECTRIC LINES	
T	"	TELEPHONE SERVICE	
S	"	SEWAGE LINES	
ST	"	STORM SEWER	
[] DW.	"	DRY WELL	
○ CB	"	CATCH BASIN	
PROPERTY LINES			

Final APPROVAL GRANTED
BY TOWN OF NEW WINDSOR PLANNING BOARD
ON May 23, 1973
BY E. D. Sagnardo



SCALE: 1" = 30' - 0"

GENERAL NOTES

1. BOUNDARY & UTILITIES INFORMATION TAKEN FROM A SURVEY BY KARTIGIANER ENGINEERS PUBLISHED, NEW YORK, TITLED "DIPLOMAT LOTTE HOUSE, INC." DATED 23-JULY-1972.
2. PUBLIC DRIVE ONTO LOTEN AVENUE WILL BE 40'-0" WIDE
3. THIS SITE PLAN SUPERSEDES SITE PLAN BY KARTIGIANER & WANGS DATED JULY 26, 1972, LAST REVISION DATE FEBRUARY 6, 1973
4. TOPOGRAPHY SHOWN IS ONLY APPROX. THE ARCHITECTS TAKE NO RESPONSIBILITY FOR SAME.
5. SEWER AND EASEMENT LINES HAVE BEEN TRACED FROM "NEW WINDSOR SEWER DISTRICT 17" PREPARED BY KARTIGIANER ENGINEERS DATED 15 MARCH 79, JOB NO 70-20

SCALE : JONE

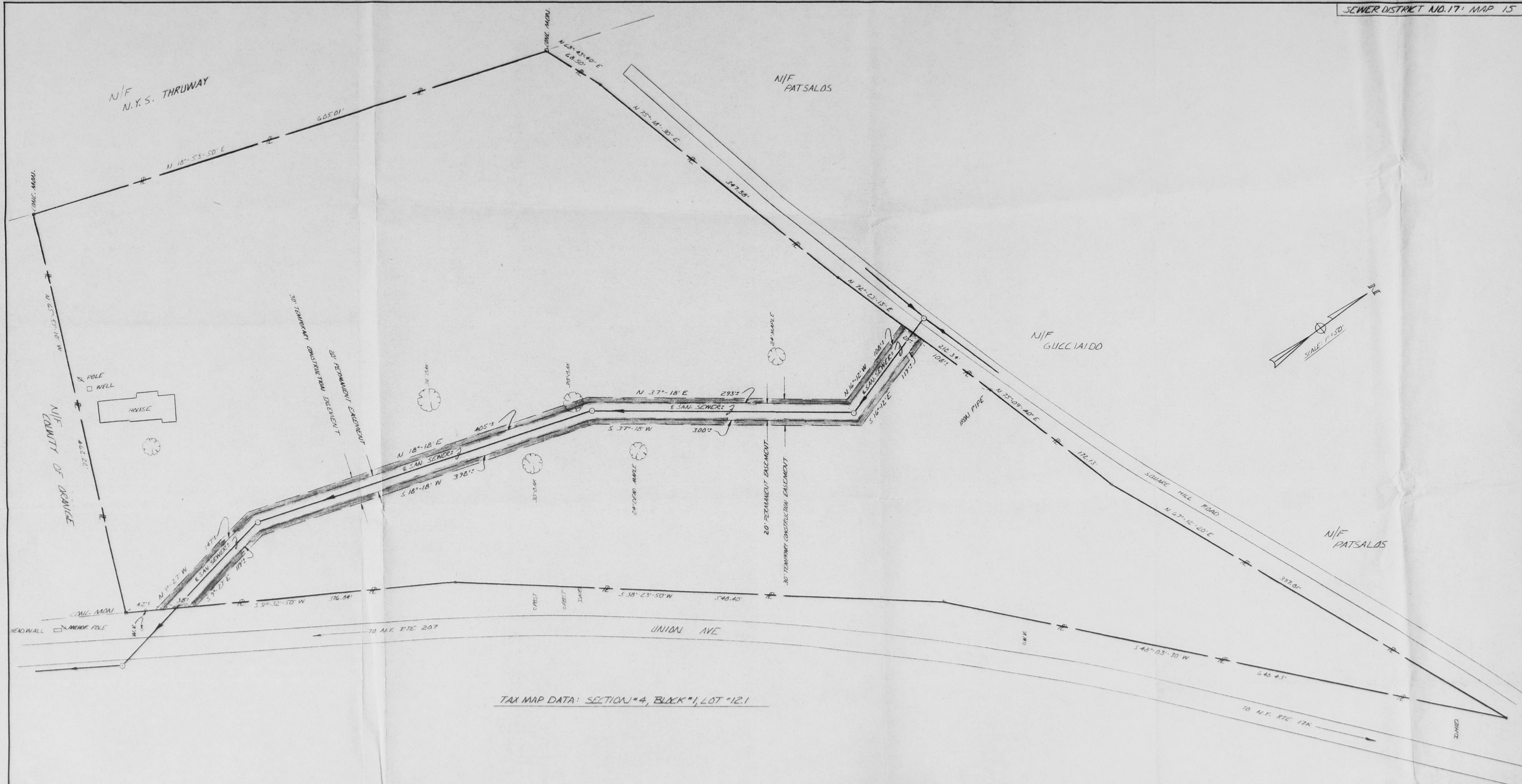
BARBONE & HABIG ARCHITECTS
210 east main street, middletown, new york 10940

DIPLOMAT MOTOR HOTEL COMPLEX FOR DOMINICK ROSCINO

DB CUR	COMM 5/27/11	SITE PLAN
CB	DATE 7/8	

SHEET
OF

MAY 8 1972



TAX MAP DATA: SECTION #4, BLOCK #1, LOT #12.1

LEGEND:

- PROPOSED SEWER LINES AND MANHOLES AND DIRECTION OF FLOW
 EASEMENT LIMIT
 PROPERTY LINE

NOTE:

PROPERTY LINES PLOTTED FROM MAP TITLED "SURVEY LANDS OF CITY OF NEWBURGH TO BE CONVEYED TO DIPLOMAT MOTOR LODGE, INC." DATED 23 SEPT. 1969, REVISED 25 SEPT. 1969. PREPARED BY DISTANCE (HARDWHITE) ENGINEERS.

UNAUTHORIZED ALTERATION OR ADDITION TO THIS PLAN IS A VIOLATION OF SECTION 7209(2) OF THE NEW YORK STATE EDUCATION LAW.

KARTIGANER ENGINEERS
 CONSULTANTS • DESIGNERS • PLANNERS
 555 ROUTE 94 NEWBURGH NEW YORK 12550

NEW WINDSOR SEWER DISTRICT 17

TOWN OF NEW WINDSOR ORANGE COUNTY NEW YORK



UTILITY EASEMENT
 IN LANDS NOW OR FORMERLY OF
 DIPLOMAT MOTOR LODGE, INC.
 SCALE : 1" = 50' SHEET NO. 1
 DATE : 12 MARCH '73
 REVISION : 0
 DRAWN : *APK*
 CHECKED : *WJ* JOB NO: D69-47